

PATENT

Attorney Docket: DSC-P3.1-US



PATENT, TRADEMARK,
COPYRIGHT AND
RELATED MATTERS

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Vladimir I. Gorokhovsky
TITLE : FILTERED CATHODIC ARC DEPOSITION
METHOD AND APPARATUS
APPLICATION NO. : 10/713,529
FILING DATE : November 13, 2003
ATTORNEY DOCKET NO. : DSC-P3.1-US

TO: Commissioner for Patents
P.O. BOX 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. §§ 1.56, 1.97 and 1.98

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicant hereby submits a Information Disclosure Statement (IDS) for consideration by the Examiner.

I. **LIST OF PATENTS, PUBLICATIONS, AND OTHER INFORMATION**

The twenty-six (26) publications submitted to the PTO for consideration are listed on Form PTO-1449 (1 pg.) attached hereto.

II. COPIES

A. X Pursuant to the Official Gazette Notice dated August 5, 2003, the PTO waived the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. Patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003, and for all international applications that have entered the national stage under 35 USC 371 after June 30, 2003. Since the subject application was filed after June 30, 2003, submitted herewith is a legible copy of each foreign patent document and each non-patent document/literature listed (4 documents).

B. X Any patents, publications or other information which are listed on Form 1449 or on the copies of PTO-892, but which are not enclosed herewith, were previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. § 120:

U.S. Serial Number

U.S. Filing Date

09/958,703

January 3, 2002

C. ____ Submitted herewith is a legible copy of (i) each U.S. patent application publication and U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; (iii) for each cited pending U.S. application, the application specification including the claims, and any drawing of the application which caused it to be listed including the claims directed to that portion; and (iv) all other information or that portion which caused it to be listed.

III. CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)

A. X Except as may be indicated below in (B), all of the patents, publications or other information are in the English language (concise explanation not required).

B. ____ A concise explanation of the relevance of each patent, publication or other information listed that is not in the English language is as follows (see 37 C.F.R. § 1.98(a)(3)):

C. ____ The following additional information is provided for the Examiner's consideration.

IV. CROSS REFERENCE TO RELATED APPLICATION(S)

A. X The Examiner is advised that the following co-pending applications contains subject matter that may be related to the present application. By bringing these application(s) to the Examiner's attention, Applicants does do not waive the confidentiality provisions of 35 U.S.C. § 122.

<u>Appln. No.</u>	<u>Filing Date</u>	<u>Art Unit</u>
10/667,279	September 18, 2003	1734
10/694,453	October 27, 2003	1734

V. THIS IDS IS BEING FILED UNDERA. X 37 C.F.R. § 1.97(b): (check only one box)

1. ___ within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d) (37 C.F.R. § 1.97(b)(1)). No fee or certification is required.

2. ___ within three months of the date of entry of the national stage as set forth in § 1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or certification is required.

3a. X before the mailing of a first Office Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or certification is required.

3b. ___ in the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below; or if no certification has been made, charge our deposit account a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

4. ___ before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No fee or certification is required.

B. ___ 37 C.F.R. § 1.97(c): (check only one box)

1. ___ before the mailing date of either any Final Office Action under 37 C.F.R. § 1.113, a Notice of Allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution.

2. ___ No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

3. ___ See the certification below. No fee is required.

C. ___ 37 C.F.R. § 1.97(d): (check only one box)

1. ___ after the mailing date of either a Final Office Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, yet on or before payment of the issue fee.

2. ___ See the certification below. A fee in the amount of \$180.00 is required by 37 C.F.R. § 1.311.

I. CERTIFICATION UNDER 37 C.F.R. § 1.97(e): (if required, check only one box)

A. ___ each item of information contained in this IDS was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(1)); or

B. ___ no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(2)).

C. ___ Some of the items of information were first cited in a communication from a foreign patent office. As to this information, the undersigned hereby certifies that each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS.

VII. PAYMENT OF FEES (if required, check only one box)

A. ___ A check in the amount of \$180.00 is enclosed for the above-identified fee.

B. ___ Please charge Deposit Account No. _____ in the amount of \$180.00 for the above-indicated fee. A duplicate copy of this paper is attached.

C. ___ Credit Card Payment Form (PTO-2038) is enclosed in the amount of \$180.00 for the above-indicated fee.

This Information Disclosure Statement (IDS) should not be construed as a representation that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(b) exists. The submission of these documents is not intended to be deemed an admission

that they are, or are considered to be, statutory prior art, analogous art, contain matter which anticipates the invention or material to patentability as defined in 37 C.F.R. § 1.56(b). Also, by this listing, the Applicant is not making any admission regarding the relative dates of the invention and listed disclosures.

Some of the documents may have markings thereon. No significance is intended to be attached to the markings. Moreover, no representation is made that any brief descriptions of the references herein necessarily describe the most material aspects of the references.

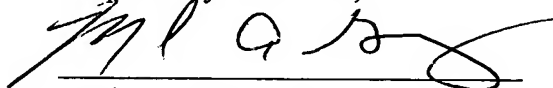
The Examiner is requested to consider carefully the complete text of these documents in connection with the examination of the above-identified application in accordance with 37 C.F.R. § 1.104(a). It is requested that the document listed on the attached Form PTO-1449 be included in the "References Cited" portion of any patent that may issue from this application (M.P.E.P. § 1302.12), and that the Examiner initial and return a copy of said form to evidence consideration of the document.

Finally, enclosed is a self-addressed, postage prepaid postcard for the PTO to place its date stamp and mail back to the undersigned attorney in order to acknowledge receipt of this IDS.

It is believed that this IDS complies with the requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98 and the Manual of Patenting Examining Procedures § 609. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to accept this IDS under the appropriate rule and to contact the undersigned by telephone promptly so that any deficiency may be remedied.

Dated: March 23, 2004

Respectfully submitted,



Mark A. Garzia, Esquire

Attorney for Applicant

Registration No. 35,517

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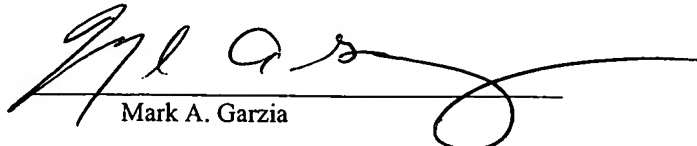
Telephone: (610) 485-9400

CERTIFICATE OF MAILING

I hereby certify that this communication, along with any paper or fee indicated as being enclosed, is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

March 23, 2004

Date


Mark A. Garzia

Form PTO-1449
(REV. 8-93)U.S. Department of Commerce
Patent and Trademark Office

INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

Application No. 10/713,529

Filed: November 13, 1003

Inventor: Gorokhovskiy

Atty. Docket No. DSC-P3.1-US

U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	3,793,179	02/19/1974	Sablev			
	4,448,802	05/1984	Buhl et al.	204	298	
	4,448,659	05/15/1984	Morrison	427	42	
	4,492,845	1/1985	Kljuchko et al.	219	121 P	
	4,673,477	06/16/1987	Ramalingam	204	192.38	
	4,724,058	02/09/1988	Morrison Jr.	204	192.38	
	5,279,723	01/1994	Falabella et al.	204	192.38	
	5,298,136	03/29/1994	Ramalingam	204	192.38	
	5,317,235	05/1994	Treglio	315	111.41	
	5,380,421	01/10/1995	Gorokhovskiy	204	298.41	
	5,387,326	02/07/1995	Buhl et al.	204	192.38	
	5,433,836	07/1995	Martin et al.	204	298.41	
	5,435,900	07/25/1995	Gorokhovskiy	204	298.41	
	5,468,363	11/21/1995	Falabella	204	298.41	
	5,480,527	01/1996	Welty	204	192.38	
	5,503,725	04/1996	Sablev et al.	204	192.12	
	5,587,207	12/24/1996	Gorokhovskiy	427	571	
	5,799,549	09/1998	Decker et al.	76	104.1	
	5,840,163	11/24/1998	Welty	204	192.38	
	5,997,705	12/07/1999	Welty	204	298.41	
	6,645,354	11/11/2003	Gorokhovskiy	204	192.38	
	6,663,755	12/16/2003	Gorokhovskiy	204	298.41	

FOREIGN PATENT DOCUMENTS

Document Number	Date	Country	Class	Subclass	Translation
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Yes

No

EP 0495447A1	07/22/1992	EPO				
EP 0511153A1	10/28/1992	EPO				
DE 4223592A1	01/05/1994	Germany				
DE 19739527A1	03/11/1999	Germany				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER	DATE CONSIDERED
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*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.